

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

RAMONT LOWELL RICHARDSON, JR.,     )  
  )  
                  Plaintiff,            )  
  )  
                  v.                     )     1:20CV777  
  )  
WELLPATH HEALTH CARE, et al.,        )  
  )  
                  Defendants.            )

**ORDER**

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on March 8, 2021, was served on the parties in this action. (Docs. 4, 5.) Plaintiff filed a supplement in response to the Recommendation. (Doc. 6.)

The court has reviewed the Recommendation and the supplement, which fails to correct the defects identified in the Recommendation.<sup>1</sup> The court therefore adopts the Magistrate Judge's Recommendation.

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<sup>1</sup> The supplement includes many conclusory allegations as to Defendant Quashie. To the extent the supplement includes non-conclusory allegations, they reflect only a layman's disagreement with a professional's judgment about proper pain management, not deliberate indifference. As concerns Plaintiff's lack of placement in a medical unit and denial of a CT scan, allegations relating to such occurrences fail to specifically attribute any inaction and knowledge of need for action to Defendant Quashie (and, if they could be read to impliedly so allege, do not allege factual matter showing that she had control over those issues). Finally, the allegations of "unlawful professional judgement" sound in negligence, not deliberate indifference.

IT IS THEREFORE ORDERED that Plaintiff's deliberate-indifference claims against Defendants Kimbrough and Rhodes are allowed to proceed but that the remainder of the claims in the complaint are dismissed pursuant to 28 U.S.C. § 1915A for failing to state a claim upon which relief may be granted.

/s/ Thomas D. Schroeder  
United States District Judge

April 15, 2021